

THE HONORABLE RONALD B. LEIGHTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TROY X. KELLEY,

Defendant.

Case No. 3:15-cr-05198-RBL

DEFENDANT'S EXHIBIT LIST FOR  
RULE 41(g) HEARING

Defendant Troy X. Kelley, by and through his counsel of record, hereby submits Defendant's Exhibit List for Rule 41(g) hearing. Defendant first incorporates by reference, as though fully set forth at this point, the exhibits listed by the government on its exhibit list filed herein. In addition, Defendant lists the following exhibits, and begins his numbering series with the number "100," to demarcate defense from government exhibits.

100. KUOW Public Radio article by Austin Jenkins *He Got Rich and Rose Fast. Then He Fell Hard.*

101. Excerpt of Berkeley United, LLC's U.S. Return of Partnership Income for 2008.

102. Excerpt of Berkeley United, LLC's U.S. Return of Partnership Income for 2009.

103. Excerpt of Berkeley United, LLC's U.S. Return of Partnership Income for 2010.

104. Excerpt of Blackstone International, Inc.'s U.S. Income Tax Return for an S Corporation for 2011.

DEFENDANT'S EXHIBIT LIST FOR  
RULE 41(g) HEARING - 1

LAW OFFICES  
CALFO HARRIGAN LEYH & EAKES LLP  
999 THIRD AVENUE, SUITE 4400  
SEATTLE, WASHINGTON 98104  
TEL, (206) 623-1700 FAX, (206) 623-8717

105. Excerpt of Blackstone International, Inc.'s U.S. Income Tax Return for an S Corporation for 2012.
106. Excerpt of Blackstone International, Inc.'s U.S. Income Tax Return for an S Corporation for 2013.
107. Berkeley United, LLC, Brokerage Account Application with Vanguard, March 31, 2010.
108. Blackstone International Inc. Nevada State Bank Signature Card, June 20, 2008.
109. United National, LLC Signature Card for U.S. Bank, June 12, 2008.
110. United National, LLC Business Account Application with Wells Fargo, June 10, 2008.
111. Civil Docket for *Bushbeck et al. v. Chicago Title Insurance Company*, No. 2:08-cv-00755-JLR, USDC, WDMA.
112. Order Denying Second Motion for Class Certification, Dkt. 139, filed November 15, 2012 in *Bushbeck et al. v. Chicago title Insurance Company*, No. 2:08-cv-00755-JLR, USDC, WDMA.
113. Reply in Support of Defendant's Motion for Judgment on the Pleadings, Dkt. 28, filed September 19, 2008 in *Frank Cornelius, et al. v. Fidelity National Title Company, et al.* No. 2:08-CV-00754-MJP, USDC, WDMA.
114. Defendants' Motion for Summary Judgment, Dkt. 71, filed November 12, 2009 in *Frank Cornelius, et al. v. Fidelity National Title Company, et al.* No. 2:08-CV-00754-MJP, USDC, WDMA.
115. Order on Defendants' Motion for Summary Judgment, Dkt. 93, filed April 1, 2010 in *Frank Cornelius, et al. v. Fidelity National Title Company, et al.* No. 2:08-CV-00754-MJP, USDC, WDMA.
116. Defendant's Motion To Dismiss Complaint Pursuant to Fed. R. Civ. P. 12(b)(6), Dkt. 15, filed June 18, 2009 in *Robert B. and Julie A. Duncan, et al. v. First American Title Insurance Company*, No. CV 09-0583-MJP, USDC, WDMA.
117. Defendants' Motion to Dismiss Plaintiffs' Second Amended Class Action Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) and 12(b)(7), Dkt. 48, filed September 24, 2008 in *Jankanish, et al. v. First American Title Insurance Company et al.*, No. CV 08-1147-JCC, USDC, WDMA.

118. Defendant's Motion for Summary Judgment, Dkt. 49, filed April 3, 2013 in *Kazman, et al. v. Land Title Company*, No. 2:11-CV-01210, USDC, WDMA.
119. Order on Defendant's Motion for Summary Judgment, Dkt. 61, filed January 13, 2014 in *Kazman, et al. v. Land Title Company*, No. 2:11-CV-01210, USDC, WDMA.
120. Motion for Partial Summary Judgment on Reconveyance Fee Claims, Dkt. 55, filed April 16, 2009 in *McFerrin, et al. v. Old Republic Title, Ltd.*, No. CV08-5309-BHS, USDC, WDMA.
121. Order Granting Defendant's Motion for Partial Summary Judgment on Plaintiffs' Earning Credits Claims and Defendant's Motion for Partial Summary Judgment on Plaintiffs' Reconveyance Fee Claims, Dkt. 95, filed July 9, 2009 in *McFerrin, et al. v. Old Republic Title, Ltd.*, No. CV08-5309-BHS, USDC, WDMA.
122. Stewart Title of Seattle LLC's Motion for Summary Judgment and Supporting Memorandum, Dkt. 43, filed March 3, 2011 in *Sageser, et al. v. Stewart Title of Seattle, LLC*, No. CV-09-582 RAJ, USDC, WDMA.
123. Order, Dkt. 52, filed December 6, 2011 in *Sageser, et al. v. Stewart Title of Seattle, LLC*, No. CV-09-582 RAJ, USDC, WDMA.

DATED this 25<sup>th</sup> day of November, 2015.

CALFO HARRIGAN LEYH & EAKES LLP

By s/Angelo J. Calfo  
Angelo J. Calfo, WSBA #27079  
999 Third Avenue, Suite 4400  
Seattle, WA 98104  
Telephone: (206) 623-1700  
Email: [angeloc@calfoharrigan.com](mailto:angeloc@calfoharrigan.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Andrew C. Friedman [andrew.friedman@usdoj.gov](mailto:andrew.friedman@usdoj.gov)

Arlen R. Storm [arlen.storm@usdoj.gov](mailto:arlen.storm@usdoj.gov)

Katheryn Kim Frierson [katheryn.k.frierson@usdoj.gov](mailto:katheryn.k.frierson@usdoj.gov)

Richard E. Cohen [richard.e.cohen@usdoj.gov](mailto:richard.e.cohen@usdoj.gov)

s/Susie Clifford